

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

CARL EDWARD WILLIS

PLAINTIFF

v.

No. 06-2069

FRANK ATKINSON, GUARD MOULDER,  
GUARD JACOB FINK, GUARD RESTINE,  
CPL. PAUL, CAPT. CONGER and LT.  
JACKSON

DEFENDANTS

**ORDER**

Now on this 17<sup>th</sup> day of September 2007, there comes on for consideration the report and recommendation filed herein on August 27, 2007, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 38). The parties have not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendants' motion for summary judgment (Doc. 21) and Plaintiff's motion for additional time to respond to the summary judgment motion (Doc. 36) are DENIED AS MOOT.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge